

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Serial No. ....09/675,466  
Filing Date ..... September 28, 2000  
Inventor.....Arnold Blinn et al.  
Group Art Unit .....3624  
Examiner .....Felten, Daniel S.  
Attorney's Docket No. .... MS1-595US  
Confirmation No.....8924  
Title: Integrating Payment Accounts And An Electronic Wallet

**APPEAL BRIEF**

To: Commissioner for Patents  
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Pursuant to 37 C.F.R. §41.37, Applicant hereby submits an appeal brief for application 09/675,466, filed September 28, 2000, within the requisite time from the date of filing the Notice of Appeal. Accordingly, Applicant appeals to the Board of Patent Appeals and Interferences seeking review of the Examiner's rejections.

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**(1) Real Party in Interest**

The real party in interest is Microsoft Corporation, the assignee of all right, title and interest in and to the subject invention.

**(2) Related Appeals and Interferences**

Appellant is not aware of any other appeals, interferences, or judicial proceedings which will directly affect, be directly affected by, or otherwise have a bearing on the Board's decision to this pending appeal.

**(3) Status of Claims**

Claims 1-28 and 30-34 stand rejected and are pending in this Application. Claims 1-28 and 30-34 are appealed. Some of claims 1-28 and 30-34 were previously amended. Claim 29 was previously canceled. Claims 1-28 and 30-34 are set forth in the Appendix of Appealed Claims on page 39.

**(4) Status of Amendments**

A Final Office Action was issued on July 6, 2005.

A Response to the Final Office Action was filed August 30, 2005. No amendments were made as part of this Response.

Appellant filed a Notice of Appeal on January 6, 2006 in response to the Final Office Action.

An Advisory Action was issued on February 23, 2006, indicating that the request for reconsideration had been considered but did not place the application in condition for allowance.

## **(5) Summary of Claimed Subject Matter**

A concise explanation of each of the independent claims is included in this Summary section, including specific reference characters. These specific reference characters are examples of particular elements of the drawings for certain embodiments of the claimed invention, and the claims are not limited to solely the elements corresponding to these reference characters.

With respect to independent claim 1, as discussed for example at page 6, line 3 through page 7, line 18, page 13, line 7 through page 18, line 7, and page 21, line 14 through page 31, line 21, an indication of a purchase a user is attempting to make is received (350) from a merchant server (104). A plurality of accounts (232) corresponding to the user are identified. A subset of the plurality of accounts (232) to make available to the user is selected (354), the subset including only those accounts that can be used by the user to make a purchase at the merchant server (104). This selected subset of accounts is presented (356) to the user.

With respect to independent claim 11, as discussed for example at page 6, line 3 through page 7, line 18, page 13, line 7 through page 18, line 7, and page 21, line 14 through page 31, line 21, a plurality of accounts (232) of different types are presented (380) to a user. This plurality of accounts (232) is included in an electronic wallet (222). The user is allowed to transfer (388, 390) value from one of the plurality of accounts (232) to another of the plurality of accounts (232).

With respect to independent claim 17, as discussed for example at page 6, line 3 through page 7, line 18, page 13, line 7 through page 18, line 7, and page 21,

line 14 through page 31, line 21, a system includes a wallet server (106) and a user interface component (110, 400, 420). The wallet server (106) is to store a plurality of payment accounts (240, 242, 244, 246, 248) for a user. The user interface component (110, 400, 420) is coupled to the wallet server (106) and is to display the plurality of payment accounts (240, 242, 244, 246, 248) and to allow manipulation of the payment accounts (240, 242, 244, 246, 248) including transferring value from one payment account (240, 242, 244, 246, 248) to another.

With respect to independent claim 19, as discussed for example at page 6, line 3 through page 7, line 18, page 13, line 7 through page 18, line 7, and page 21, line 14 through page 31, line 21, a request from a user to make a purchase using a particular type of fund (240, 242, 244, 246, 248) included in an electronic wallet (222) of the user is received. Payment information corresponding to the particular fund (240, 242, 244, 246, 248) is converted to a credit card format, and the converted payment information is communicated (314) to a merchant (104) for the purchase.

With respect to independent claim 26, as discussed for example at page 6, line 3 through page 7, line 18, page 13, line 7 through page 18, line 7, and page 21, line 14 through page 31, line 21, a plurality of different types of payment accounts (240, 242, 244, 246, 248) for a user are maintained in an electronic wallet (222). The user is allowed to transfer payment information stored in the payment accounts (240, 242, 244, 246, 248) to merchants (104) to make purchases. The user is also allowed to transfer funds between different ones of the plurality of different types of payment accounts (240, 242, 244, 246, 248).

With respect to independent claim 34, as discussed for example at page 6, line 3 through page 7, line 18, page 13, line 7 through page 18, line 7, and page 21, line 14 through page 31, line 21, a gift certificate account (240) including payment information corresponding to the gift certificate account (240) is maintained. The gift certificate account (240) is presented to the user as a gift certificate, but presented (314) to a merchant (104) as a credit card.

**(6) Grounds of Rejection to be Reviewed on Appeal**

Claims 1-28 and 30-34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,590,038 to Pitroda in view of U.S. Patent No. 6,125,352 to Franklin et al.

Claims 20 and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,590,038 to Pitroda in view of U.S. Patent No. 6,125,352 to Franklin et al. and further in view of U.S. Patent No. 5,710,886 to Christensen et al.

**(7) Argument**

**A. Rejection under 35 U.S.C. §103(a) over U.S. Patent No. 5,590,038 to Pitroda in view of U.S. Patent No. 6,125,352 to Franklin et al.**

Claims 1-28 and 30-34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,590,038 to Pitroda (hereinafter "Pitroda") in view of U.S. Patent No. 6,125,352 to Franklin et al. (hereinafter "Franklin").

Pitroda is directed to a universal electronic transaction card ("UET card") including receipt storage and system and methods of conducting electronic

transactions (see, Title and Abstract). As discussed in the Abstract of Pitroda, the UET card is capable of serving as a number of different credit cards, bank cards, identification cards, employee cards, medical cards and the like. The UET card includes information storage elements, an input interface, a processor, a display, and a communications interface. The display is a touch-sensitive display which provides the user with a number of graphical images which enable the user to selectively choose the type of "credit card" to use for a transaction, and to then choose a particular credit card to use with the transaction. Sales transaction information is also transferred and stored in the UET card by the point of sales terminal to eliminate paper receipts and facilitate future storage, verification and analysis for billing, budgeting and financial management and using a home or office personal computer or other facilities.

Franklin (see, Abstract) discusses a system and method for conducting commerce over a distributed network manage merchant and product information in an electronic shopping basket, payment source information in an electronic wallet, and shipping address information in an electronic address book, all of such information being stored on a consumer computer. A commerce client running on the consumer computer is configured as a MIME handler and extends the functionality of a standard Web browser to support computer-based shopping. A merchant site Web server provides HTML-coded Web documents which describe merchant products and which host computer-based shopping options. The HTML-coded Web documents contain function-calling information by which consumer-selected options invoke shopping-related functions on either the merchant (server) computer or the consumer (client) computer. A consumer selects the options from

within the Web browser to initiate shopping-related operations such as: retrieve product information from merchants on the World Wide Web, selectively store product information locally on the consumer computer, locally compare product information from different merchants, locally store payment source and shipping address information and selectively forward such information to merchant sites, order products from Web-based merchants, track the status of purchase orders, and receive instructional information on application usage.

**1. Claims 1, 2, 6, 9, and 10**

As discussed at MPEP §2143.03 (emphasis added), to establish *prima facie* obviousness of a claimed invention, **all the claim limitations must be taught or suggested by the prior art.** *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). “All words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

With respect to claim 1, claim 1 recites in part:

identifying a plurality of accounts corresponding to the user;  
selecting a subset of the plurality of accounts to make  
available to the user, the subset including only those accounts that  
can be used by the user to make a purchase at the merchant server;  
and  
presenting the subset of accounts to the user.

Appellant respectfully submits that there is no disclosure or suggestion of such selecting and presenting in Pitroda in view of Franklin. As such, Appellant



respectfully submits that *prima facie* obviousness of claim 1 has not been established, and that claim 1 is allowable over Pitroda in view of Franklin.

Pitroda at col. 3, line 62 to col. 4, line 11 is cited as disclosing the selecting of claim 1 (see, July 6, 2005 Office Action at p. 3). This cited portion of Pitroda is as follows:

In a preferred embodiment, the UET card includes a touch-sensitive display which is large enough to display a visibly perceptible replica of a credit card and a visibly perceptible replica of the user's signature. Menus can be provided on the touch sensitive display to enable the user to select one service institution from a group of service institutions in order to proceed with a transaction using the card. Further, the touch-sensitive display may be provided with multiple levels of menus, including at least one level enabling the user to select from groups of service institutions, and at least one other level enabling the user to select a particular service institution. In addition, a graphic image of a service institution may be displayed when the service institution is selected by a user, along with the user's name and account number. Alternatively, instead of a touch-sensitive display, the UET card may be provided with a pointing device.

Thus, this cited portion of Pitroda discusses that menus can be provided on a touch sensitive display to enable the user to select one service institution from a group of service institutions in order to proceed with a transaction using the card. This selection, however, is a selection made by the user rather than a selection of a subset of a plurality of accounts to make available to the user. Although this cited portion of Pitroda mentions that multiple levels of menus may be provided, nowhere is there any discussion or mention of selecting a subset of accounts to make available to a user and that the selected subset of accounts includes only those accounts that can be used by the user to make a purchase (regardless of whether that purchase is at a merchant server or elsewhere). Simply allowing a

user to use menus to select information that is stored on his or her card does not disclose or suggest limiting the subset of accounts presented to the user to include only those accounts that can be used by the user to make a purchase (regardless of whether that purchase is at a merchant server or elsewhere). Without any discussion or mention of a subset including only those accounts that can be used by the user to make a purchase (regardless of whether the purchase is at a point of sales terminal, a merchant server, or elsewhere), Appellant respectfully submits that Pitroda cannot disclose or suggest the selecting of claim 1.

Per MPEP §2143.03, to establish *prima facie* obviousness of a claimed invention, **all the claim limitations must be taught or suggested by the prior art**. Although claim 1 is rejected under a combination of Pitroda and Franklin, the teachings of Pitroda are relied on as disclosing the selecting of claim 1. Franklin is cited in the July 6, 2005 Office Action at p. 3 as disclosing “receiving, from a merchant server”. Franklin is not cited as disclosing, and does not disclose, the selecting of claim 1.

Assuming for the sake of argument that Franklin does disclose receiving, from a merchant server, there still is no discussion or mention in Pitroda in view of Franklin of selecting a subset of the plurality of accounts to make available to the user, the subset including only those accounts that can be used by the user to make a purchase (regardless of whether that purchase is at a particular merchant server, a particular point of sales terminal, or anywhere else).

As such, Appellant respectfully submits that *prima facie* obviousness of claim 1 has not been established, and that claim 1 is allowable over Pitroda in view of Franklin.

Furthermore, as there is no disclosure or suggestion of selecting a subset of the plurality of accounts as recited in claim 1, Appellant respectfully submits that there cannot be any disclosure or suggestion of presenting such a subset of accounts to the user as recited in claim 1. Although Pitroda discusses providing menus on a touch sensitive display to enable the user to select one service institution from a group of service institutions, there is no discussion or mention with such displayed menus of presenting a subset of accounts to the user, the subset including only those accounts that can be used by the user to make a purchase (regardless of whether that purchase is at a point of sales terminal, a merchant server, or elsewhere). As such, Appellant respectfully submits that Pitroda cannot disclose or suggest the presenting of claim 1.

With respect to Franklin, Franklin is cited as disclosing receiving, from a merchant server. Assuming for the sake of argument that Franklin does disclose receiving, from a merchant server, there still is no discussion or mention in Pitroda in view of Franklin of presenting such a subset of accounts to a user as recited in claim 1. As such, Appellant respectfully submits that *prima facie* obviousness of claim 1 has not been established, and that claim 1 is allowable over Pitroda in view of Franklin.

In the February 23, 2006 Advisory Action, it was asserted that the Request for Reconsideration does not place the application in condition for allowance because:

The Request for Consideration can not show non-obviousness by providing a reference-by-reference attack on what may be suggested in the prior. In a 35 USC 103(a) rejection, obviousness is what the combination of references, when taken as a whole, would have suggested to one of ordinary skill in the art [see *In re Keller*, 642

F.2d 413 208 USPQ 871 (CCPA 1981); and In re McLaughlin, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971)].

Appellant respectfully submits that the combination of Pitroda and Franklin has been addressed above. Appellant is not providing a reference-by-reference attack. Appellant is relying on the rejections made in the July 6, 2005 Final Office Action and the assertions made in the July 6, 2005 Final Office Action as to where the elements of claim 1 are allegedly taught in Pitroda and Franklin. Per MPEP §2143.03, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. As discussed above, all the elements of claim 1 are not taught or suggested by the prior art.

For at least these reasons, Appellant respectfully submits that *prima facie* obviousness of claim 1 has not been established, and thus that claim 1 is allowable over Pitroda in view of Franklin.

With respect to claims 2, 6, 9, and 10, given that claims 2, 6, 9, and 10 depend from claim 1, Appellant respectfully submits that claims 2, 6, 9, and 10 are likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 1.

## **2. Claims 3 and 5**

With respect to claim 3, claim 3 depends from claim 1 and Appellant respectfully submits that claim 3 is allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 1. Furthermore, claim 3 recites:

One or more computer readable media as recited in claim 1, wherein the accounts that can be used to make a purchase at the merchant server are those accounts of a type identified by the merchant server

as well as additional accounts of a type that are mapped to an account type identified by the merchant server as being useable.

Appellant respectfully submits that there is no disclosure or suggestion in Pitroda in view of Franklin of the accounts that can be used to make a purchase being those accounts of a type identified by the merchant server as well as additional accounts of a type that are mapped to an account type identified by the merchant server as being useable.

In the July 6, 2005 Office Action at p. 4, Pitroda is cited as disclosing the elements of claim 3. Pitroda discusses that when several credit card or service institutions have activated a UET card, a display allows the user to select any of the card type options for use (see, col. 13, lines 59-62). For example, the user can select by touching box next to the 'credit' on the screen, all the credit cards available (see, col. 13, lines 62-64).

However, there is no mention in Pitroda of the accounts presented to the user being only those that can be used by the user to make a purchase (regardless of whether that purchase is at a point of sales terminal, a merchant server, or elsewhere), with those accounts being accounts of a type identified by the merchant server (or point of sales terminal) as well as additional accounts of a type that are mapped to an account type identified by the merchant server (or point of sales terminal) as being useable. There is no mention in Pitroda of a merchant or merchant server (or point of sales terminal) identifying types of accounts that can be used and presenting only those accounts to the user. Additionally, there is no mention in Pitroda of further including in those accounts presented to the user accounts of a type that are mapped to an account type identified by the merchant server (or point of sales terminal) as being useable. Appellant respectfully submits

that the discussion of allowing a user to select a card type option to use in Pitroda does not disclose or suggest any such identifying, presenting, or including.

Without any mention, much less discussion, of such accounts in Pitroda, Appellant respectfully submits that Pitroda cannot disclose or suggest the accounts that can be used to make a purchase being those accounts of a type identified by the merchant server as well as additional accounts of a type that are mapped to an account type identified by the merchant server as being useable as recited in claim 3.

With respect to Franklin, Franklin is cited in the rejection of claim 1 as disclosing receiving, from a merchant server. Franklin is not cited as curing, and does not cure, the deficiencies of Pitroda discussed above. Assuming for the sake of argument that Franklin does disclose receiving, from a merchant server, there still is no discussion or mention in Pitroda in view of Franklin of the accounts that can be used to make a purchase being those accounts of a type identified by the merchant server as well as additional accounts of a type that are mapped to an account type identified by the merchant server as being useable as recited in claim 3.

For at least these reasons, Appellant respectfully submits that *prima facie* obviousness of claim 3 has not been established, and that claim 3 is allowable over Pitroda in view of Franklin.

With respect to claim 5, given that claim 5 depends from claim 3, Appellant respectfully submits that claim 5 is likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 3.

#### **4. Claim 4**

With respect to claim 4, claim 4 depends from claim 1 and Appellant respectfully submits that claim 4 is allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 1. Furthermore, claim 4 recites:

One or more computer readable media as recited in claim 1, wherein the accounts that can be used to make a purchase at the merchant server are those accounts of a type identified by the merchant server as well as additional accounts of a type from which funds can be added to an account of a type identified by the merchant server.

Appellant respectfully submits that there is no disclosure or suggestion in Pitroda in view of Franklin of the accounts that can be used to make a purchase being those accounts of a type identified by the merchant server as well as additional accounts of a type from which funds can be added to an account of a type identified by the merchant server.

As discussed above, Pitroda discusses that when several credit card or service institutions have activated a UET card, a display allows the user to select any of the card type options for use. However, there is no mention in Pitroda of the accounts presented to the user being only those that can be used by the user to make a purchase (regardless of whether at a point of sales terminal, at a merchant server, or elsewhere), with those accounts being accounts of a type identified by the merchant server (or point of sales terminal) as well as additional accounts of a type from which funds can be added to the an account of a type identified by the merchant server or point of sales terminal. There is no mention in Pitroda of a merchant or merchant server (or point of sales terminal) identifying types of

accounts that can be used and presenting only those accounts to the user. Additionally, there is no mention in Pitroda of further including in those accounts presented to the user accounts of a type from which funds can be added to an account of a type identified by the merchant server (or point of sales terminal). Appellant respectfully submits that the discussion of allowing a user to select a card type option to use in Pitroda does not disclose or suggest any such identifying, presenting, or including.

Thus, without any mention, much less discussion, of such accounts in Pitroda, Appellant respectfully submits that Pitroda cannot disclose or suggest the accounts that can be used to make a purchase being those accounts of a type identified by the merchant server (or point of sales terminal) as well as additional accounts of a type from which funds can be added to an account of a type identified by the merchant server (or point of sales terminal).

With respect to Franklin, Franklin is cited in the rejection of claim 1 as disclosing receiving, from a merchant server. Appellant respectfully submits that Franklin is not cited as curing, and does not cure, the deficiencies of Pitroda discussed above.

For at least these reasons, Appellant respectfully submits that *prima facie* obviousness of claim 4 has not been established, and that claim 4 is allowable over Pitroda in view of Franklin.

## **5. Claim 7**

With respect to claim 7, claim 7 depends from claim 1 and Appellant respectfully submits that claim 7 is allowable over Pitroda in view of Franklin for



at least the reasons discussed above with respect to claim 1. Furthermore, claim 7 recites:

One or more computer readable media as recited in claim 1, wherein the plurality of instructions further cause the one or more processors to perform acts including:

receiving a user selection of two or more of the subset of accounts;

allowing the user to combine funds from the selected accounts into a combined account; and

forwarding, to the merchant server, payment information corresponding to the combined account.

Appellant respectfully submits that there is no disclosure or suggestion in Pitroda in view of Franklin of the receiving, allowing, and forwarding of claim 7.

Appellant respectfully submits that nowhere in Pitroda and Franklin is there any discussion or mention of allowing a user to combine funds from two or more user-selected accounts into a combined account, and forwarding, to the merchant server, payment information corresponding to the combined account. Without any such discussion or mention, Appellant respectfully submits that Pitroda in view of Franklin cannot disclose or suggest the receiving, allowing, and forwarding of claim 7.

Appellant notes that although the language of claim 7 is recited in the July 6, 2005 Office Action at pp. 4-5, there is no identification in the July 6, 2005 Office Action of any portion(s) of any of the cited references that are being relied on in rejecting claim 7. Furthermore, there is no identification in the February 23, 2006 Advisory Action of any portion(s) of any of the cited references that are being relied on in rejecting claim 7.

For at least these reasons, Appellant respectfully submits that *prima facie* obviousness of claim 7 has not been established, and that claim 7 is allowable over Pitroda in view of Franklin.

**6. Claim 8**

With respect to claim 8, claim 8 depends from claim 7 and Appellant respectfully submits that claim 8 is likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 7. Furthermore, claim 8 recites:

One or more computer readable media as recited in claim 7, wherein the plurality of instructions further cause the one or more processors to perform acts including allowing the user to combine funds from one account that is not identified by the merchant as acceptable with another account that is identified by the merchant as acceptable.

Appellant respectfully submits that there is no disclosure or suggestion in Pitroda in view of Franklin of allowing the user to combine funds from one account that is not identified by the merchant as acceptable with another account that is identified by the merchant as acceptable.

Appellant respectfully submits that nowhere in Pitroda and Franklin is there any discussion or mention of allowing the user to combine funds from one account that is not identified by the merchant as acceptable with another account that is identified by the merchant as acceptable. Without any such discussion or mention, Appellant respectfully submits that Pitroda in view of Franklin cannot disclose or suggest allowing the user to combine funds from one account that is not identified

by the merchant as acceptable with another account that is identified by the merchant as acceptable as recited in claim 8.

Appellant notes that although Pitroda is cited in the July 6, 2005 Office Action at p. 5 as disclosing the elements of claim 8, there is no identification in the July 6, 2005 Office Action of which portion(s) of Pitroda are being relied on as disclosing the elements of claim 8. Furthermore, there is no identification in the February 23, 2006 Advisory Action of any portion(s) of Pitroda that are being relied on in rejecting claim 8.

For at least these reasons, Appellant respectfully submits that *prima facie* obviousness of claim 8 has not been established, and that claim 8 is allowable over Pitroda in view of Franklin.

#### **7. Claims 11-13 and 16**

With respect to claim 11, claim 11 recites:

A method comprising:  
presenting a plurality of accounts of different types to a user,  
the plurality of accounts being included in an electronic wallet; and  
allowing the user to transfer value from one of the plurality of  
accounts to another of the plurality of accounts.

Appellant respectfully submits that Pitroda in view of Franklin does not disclose the presenting and allowing of claim 11.

In the July 6, 2005 Office Action, it is acknowledged that Pitroda does not disclose the allowing of claim 11 (see, July 6, 2005 Office Action at p.6). However, the Abstract of Franklin is relied on as disclosing the allowing of

claim 11 (see, July 6, 2005 Office Action at p. 6). The Abstract of Franklin reads as follows:

A system and method for conducting commerce over a distributed network manage merchant and product information in an electronic shopping basket, payment source information in an electronic wallet, and shipping address information in an electronic address book, all of such information being stored on a consumer computer. A commerce client running on the consumer computer is configured as a MIME handler and extends the functionality of a standard Web browser to support computer-based shopping. A merchant site Web server provides HTML-coded Web documents which describe merchant products and which host computer-based shopping options. The HTML-coded Web documents contain function-calling information by which consumer-selected options invoke shopping-related functions on either the merchant (server) computer or the consumer (client) computer. A consumer selects the options from within the Web browser to initiate shopping-related operations such as: retrieve product information from merchants on the World Wide Web, selectively store product information locally on the consumer computer, locally compare product information from different merchants, locally store payment source and shipping address information and selectively forward such information to merchant sites, order products from Web-based merchants, track the status of purchase orders, and receive instructional information on application usage.

Although payment source information being managed in an electronic wallet is discussed in the Abstract of Franklin, the mere mention of management of payment source information does not disclose or suggest allowing a user to transfer value from one of a plurality of accounts included in an electronic wallet to another of the plurality of accounts included in the electronic wallet. Appellant respectfully submits that there is no discussion or mention in Franklin of allowing a user to transfer value from one of a plurality of accounts included in an electronic wallet to another of the plurality of accounts included in the electronic

wallet. Without any such discussion or mention, Appellant respectfully submits that Franklin cannot disclose or suggest the allowing of claim 11.

Per MPEP §2143.03, to establish *prima facie* obviousness of a claimed invention, **all the claim limitations must be taught or suggested by the prior art**. As noted above, it is acknowledged in the July 6, 2005 Office Action that Pitroda does not disclose the allowing of claim 11, and there is no assertion in the July 6, 2005 Office Action that Pitroda suggests the allowing of claim 11. Furthermore, Franklin does not disclose or suggest the allowing of claim 11 as discussed above. As such, Appellant respectfully submits that all of the elements of claim 11 are not taught or suggested by Pitroda in view of Franklin, and thus that *prima facie* obviousness of claim 11 has not been established and that claim 11 is allowable over Pitroda in view of Franklin.

In the February 23, 2006 Advisory Action, it was asserted that the Request for Reconsideration does not place the application in condition for allowance because:

The Request for Consideration can not show non-obviousness by providing a reference-by-reference attack on what may be suggested in the prior. In a 35 USC 103(a) rejection, obviousness is what the combination of references, when taken as a whole, would have suggested to one of ordinary skill in the art [see *In re Keller*, 642 F.2d 413 208 USPQ 871 (CCPA 1981); and *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971)].

Appellant respectfully submits that the combination of Pitroda and Franklin has been addressed above. Appellant is not providing a reference-by-reference attack. Appellant is relying on the rejections made in the July 6, 2005 Final Office Action and the assertions made in the July 6, 2005 Final Office Action as to where the elements of claim 11 are allegedly taught in Pitroda and Franklin. Per MPEP

§2143.03, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. As discussed above, all the elements of claim 11 are not taught or suggested by the prior art.

For at least these reasons, Appellant respectfully submits that claim 11 is allowable over Pitroda in view of Franklin.

With respect to claims 12, 13, and 16, given that claims 12, 13, and 16 depend from claim 11, Appellant respectfully submits that claims 12, 13, and 16 are likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 11.

#### **8. Claim 14**

With respect to claim 14, claim 14 depends from claim 11 and Appellant respectfully submits that claim 14 is allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 11. Furthermore, claim 14 recites:

A method as recited in claim 11, wherein the allowing comprises allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts while in the process of making an on-line purchase.

Pitroda is cited in the July 6, 2005 Office Action at p. 6 as disclosing the allowing of claim 14. However, elsewhere in the July 6, 2005 Office Action it is acknowledged that Pitroda does not disclose allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts as recited in claim 11 (see, July 6, 2005 Office Action at p. 6). As Pitroda does not disclose allowing the user to transfer value from one of the plurality of accounts to

another of the plurality of accounts as recited in claim 11, Appellant respectfully submits that Pitroda cannot disclose wherein the allowing comprises allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts while in the process of making an on-line purchase as recited in claim 14.

Furthermore, Pitroda at col. 14, lines 8-49 is cited as disclosing the allowing of claim 14. This cited portion of Pitroda reads as follows:

FIG. 15 displays the status on the UET card during a sales transaction, when the UET card is connected through the CIU to a point of sales terminal. The progress of the dialing process to the main computer, in the form of send/receive etc., is displayed accordingly. Once the point of sales terminal is connected to the main computer, the salesperson can input transaction amount for a credit check and authorization. After proper verification at the main central computer, the authorization will appear on the display of the UET card and/or the point of sales computer. The point of sales computer will download and display the transaction details, as shown in FIG. 16, and transmit the transaction information into the memory of the UET card, on which the transaction information may be displayed for visual verification by the customer. If necessary, such as in a restaurant, the customer can add a gratuity at this stage by using the 0 to 9 keys on the touch-screen display and appropriate commands. Thereafter, the POS salesperson may request the customer to sign the bill on the display in designated area. Once the card holder signs, the customer's original signature, which was stored in memory when the UET card was activated, will appear on the display of the UET card and/or the display of the point of sales computer for visual verification. This would essentially complete normal transaction, as shown in FIG. 17.

A sample of typical commands for the UET card is shown in FIG. 18. Because of the software flexibility, a variety of commands can be developed to changing customer needs. Each set of commands are associated with the display on hand. The commands are required to guide UET Card user to process transactions and help analyze transaction details, history, and patterns.

FIG. 19 shows a typical bank card through which with appropriate interface the card holder can use ATM and perform bank

transactions directly with the bank computer with built in security. These transactions may include features such as, withdraw, deposit, write check (WRC), write periodic checks, pay home loans, utility bills, etc., or request monthly statement, account summary, etc. All of the information required for a checking account or ATM transaction is included in the account information for the bank which has issued the bank card authorization to the UET card holder.

Thus, this cited portion of Pitroda discusses displaying a status on a UET card during a sales transaction (e.g., the progress of the dialing process to a main computer), displaying an authorization, and displaying transaction details. This cited portion of Pitroda also discusses performing bank transactions directly with a bank computer with built in security, and that the transactions may include features such as withdraw, deposit, write check, write periodic checks, pay home loans, utility bills, request monthly statement, account summary, etc. However, there is no discussion or mention in this cited portion of allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts while in the process of making an on-line purchase. Without any such discussion or mention, Appellant respectfully submits that Pitroda cannot disclose or suggest the allowing of claim 14.

Franklin is not cited as curing, and does not cure, these deficiencies of Pitroda.

As such, Appellant respectfully submits that all of the elements of claim 14 are not taught or suggested by Pitroda in view of Franklin, and thus that *prima facie* obviousness of claim 14 has not been established and that claim 14 is allowable over Pitroda in view of Franklin. For at least these reasons, Appellant respectfully submits that claim 14 is allowable over Pitroda in view of Franklin.



## 9. Claim 15

With respect to claim 15, claim 15 depends from claim 14 and Appellant respectfully submits that claim 15 is allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 14. Furthermore, claim 15 recites:

A method as recited in claim 14, wherein the allowing further comprises allowing the user to transfer value from an account that is not accepted by a merchant at which the on-line purchase is being made to an account that is accepted by the merchant.

Pitroda is cited in the July 6, 2005 Office Action at p. 6 as disclosing the allowing of claim 15. However, elsewhere in the July 6, 2005 Office Action it is acknowledged that Pitroda does not disclose the allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts as recited in claim 11 (see, July 6, 2005 Office Action at p.6). As Pitroda does not disclose allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts as recited in claim 11, Appellant respectfully submits that Pitroda cannot disclose wherein the allowing further comprises allowing the user to transfer value from an account that is not accepted by a merchant at which the on-line purchase is being made to an account that is accepted by the merchant as recited in claim 15.

Furthermore, Pitroda at col. 14, lines 8-49 is cited as disclosing the allowing of claim 15. As discussed above with respect to claim 14, this cited portion of Pitroda discusses displaying a status on a UET card during a sales transaction (e.g., the progress of the dialing process to a main computer), displaying an authorization, and displaying transaction details. This cited portion

of Pitroda also discusses performing bank transactions directly with a bank computer with built in security, and that the transactions may include features such as withdraw, deposit, write check, write periodic checks, pay home loans, utility bills, request monthly statement, account summary, etc. However, there is no discussion or mention in this cited portion of allowing the user to transfer value from an account that is not accepted by a merchant at which the on-line purchase is being made to an account that is accepted by the merchant. Without any such discussion or mention, Appellant respectfully submits that Pitroda cannot disclose or suggest the allowing of claim 15.

Franklin is not cited as curing, and does not cure, these deficiencies of Pitroda.

As such, Appellant respectfully submits that all of the elements of claim 15 are not taught or suggested by Pitroda in view of Franklin, and thus that *prima facie* obviousness of claim 15 has not been established and that claim 15 is allowable over Pitroda in view of Franklin. For at least these reasons, Appellant respectfully submits that claim 15 is allowable over Pitroda in view of Franklin.

#### **10. Claims 17 and 18**

With respect to claim 17, claim 17 recites:

A system comprising:  
a wallet server to store a plurality of payment accounts for a user; and  
a user interface component, coupled to the wallet server, to display the plurality of payment accounts and to allow manipulation of the payment accounts including transferring value from one payment account to another.

Appellant respectfully submits that Pitroda in view of Franklin does not disclose or suggest a wallet server and user interface component as recited in claim 17.

As discussed above regarding claim 11, payment source information being managed in an electronic wallet is discussed in the Abstract of Franklin. However, the mere mention of management of payment source information does not disclose or suggest that manipulation of payment accounts includes transferring value from one payment account that a wallet server stores to another payment account that the wallet server stores. Appellant respectfully submits that there is no discussion or mention in Franklin that manipulation of payment accounts includes transferring value from one payment account that a wallet server stores to another payment account that the wallet server stores. Without any such discussion or mention, Appellant respectfully submits that Franklin cannot disclose or suggest the transferring of claim 17. With respect to Pitroda, Pitroda is not cited as curing, and does not cure, these deficiencies of Franklin.

Furthermore, Pitroda is cited in the July 6, 2005 Office Action at p. 7 as disclosing the user interface component of claim 17. However, elsewhere in the July 6, 2005 Office Action it is acknowledged that Pitroda does not disclose allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts as recited in claim 11 (see, July 6, 2005 Office Action at p. 6). As Pitroda does not disclose allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts as recited in claim 11, Appellant respectfully submits that Pitroda cannot disclose a user interface component to allow manipulation of the payment accounts including transferring value from one payment account to another as recited in claim 17.

In the February 23, 2006 Advisory Action, it was asserted that the Request for Reconsideration does not place the application in condition for allowance because:

The Request for Consideration can not show non-obviousness by providing a reference-by-reference attack on what may be suggested in the prior. In a 35 USC 103(a) rejection, obviousness is what the combination of references, when taken as a whole, would have suggested to one of ordinary skill in the art [see *In re Keller*, 642 F.2d 413 208 USPQ 871 (CCPA 1981); and *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971)].

Appellant respectfully submits that the combination of Pitroda and Franklin has been addressed above. Appellant is not providing a reference-by-reference attack. Appellant is relying on the rejections made in the July 6, 2005 Final Office Action and the assertions made in the July 6, 2005 Final Office Action as to where the elements of claim 17 are allegedly taught in Pitroda and Franklin. Per MPEP §2143.03, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. As discussed above, all the elements of claim 17 are not taught or suggested by the prior art. For at least these reasons, Appellant respectfully submits that claim 17 is allowable over Pitroda in view of Franklin.

With respect to claim 18, given that claim 18 depends from claim 17, Appellant respectfully submits that claim 18 is likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 17.

#### **11. Claims 19 and 20-25**

With respect to claim 19, claim 19 recites:

A method comprising:

receiving a request from a user to make a purchase using a particular type of fund included in an electronic wallet of the user;  
converting payment information corresponding to the particular fund to a credit card format; and  
communicating the converted payment information to a merchant for the purchase.

Appellant respectfully submits that Pitroda in view of Franklin does not disclose or suggest the receiving, converting, and communicating of claim 19.

Pitroda is cited in the July 6, 2005 Office Action at p. 7 as disclosing the converting and communicating of claim 19. As discussed above, the UET card of Pitroda is capable of serving as a number of different credit cards, bank cards, identification cards, employee cards, medical cards and the like. The UET card is capable of functioning as a number of different credit cards or other transaction or identification cards, which provides the user of the UET card with the capability of selecting one of many such cards for use in a particular transaction (see, col. 1, lines 20-25). Additionally, Pitroda discusses that in order to activate the UET card for a particular credit card service or other service institution, authorization data enabling the UET card to function as a "credit card" or other type of "card" for that institution is transmitted to the UET card (see, col. 15, lines 40-64).

However, Appellant respectfully submits that nowhere in Pitroda is there any discussion or suggestion of the UET card being used to convert payment information corresponding to a particular fund to a credit card format, and communicating the converted payment information to a merchant for the purchase as recited in claim 19. Pitroda at col. 1, lines 9-36 is cited as disclosing this converting and communicating of claim 19. This cited portion of Pitroda reads:

This invention relates to a universal electronic transaction card ("UET card") for storing, transmitting and receiving personal,

accounting and transactional information, to a UET card and communications systems, and to an electronic transaction system which utilizes UET cards. This invention also relates to a health care system utilizing UET cards. This invention also relates to methods of issuing an account authorization to a UET card, a method of transferring transactional and account information between a UET card and a personal computer or a mainframe computer, a method of using the UET card as a remote terminal for a mainframe computer, and a method of conducting an electronic transaction. The UET card of the present invention is capable of functioning as a number of different credit cards or other transaction or identification cards, which provides the user of the UET card with the capability of selecting one of many such cards for use in a particular transaction. The UET card of this invention has universal application for all personal and financial transactions, such as normal credit card usage of the type commonly associated with MASTERCARD, VISA, AMERICAN EXPRESS or automatic banking transactions (known as "ATM" transactions); health service transactions, such as physicians' services, hospital services, or home health care services; personal identification, including social security number, signature, photograph, and other personal information; employee information, such as employee identification numbers; and license information, including drivers licenses, vehicle registrations, professional licenses, and the like.

Thus, this cited portion of Pitroda discusses that the UET card is capable of functioning as a number of different credit cards or other transaction or identification cards. However, the mere disclosure that the UET card is capable of functioning as a number of different credit cards or other transaction or identification cards does not disclose or suggest any sort of **converting of payment information** to a credit card format. There is no mention of any sort of converting information to a particular credit card format in Pitroda, much less of communicating the converted payment information to a merchant for the purchase. Thus, Appellant respectfully submits that Pitroda cannot disclose or suggest the converting and communicating of claim 19.

With respect to Franklin, Franklin is not cited as curing this deficiency of Pitroda. For at least these reasons Appellant respectfully submits that claim 19 is allowable over Pitroda in view of Franklin.

In the February 23, 2006 Advisory Action, it was asserted that the Request for Reconsideration does not place the application in condition for allowance because:

The Request for Consideration can not show non-obviousness by providing a reference-by-reference attack on what may be suggested in the prior. In a 35 USC 103(a) rejection, obviousness is what the combination of references, when taken as a whole, would have suggested to one of ordinary skill in the art [see *In re Keller*, 642 F.2d 413 208 USPQ 871 (CCPA 1981); and *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971)].

Appellant respectfully submits that the combination of Pitroda and Franklin has been addressed above. Appellant is not providing a reference-by-reference attack. Appellant is relying on the rejections made in the July 6, 2005 Final Office Action and the assertions made in the July 6, 2005 Final Office Action as to where the elements of claim 19 are allegedly taught in Pitroda and Franklin. Per MPEP §2143.03, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. As discussed above, all the elements of claim 19 are not taught or suggested by the prior art. For at least these reasons, Appellant respectfully submits that claim 19 is allowable over Pitroda in view of Franklin.

With respect to claims 20-25, given that claims 20-25 depend from claim 19, Appellant respectfully submits that claims 20-25 are likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 19.

## **12. Claims 26-28 and 30-33**

With respect to claim 26, claim 26 recites:

A method comprising:  
maintaining, in an electronic wallet, a plurality of different types of payment accounts for a user;  
allowing the user to transfer payment information stored in the payment accounts to merchants to make purchases; and  
allowing the user to transfer funds between different ones of the plurality of different types of payment accounts.

As discussed above regarding claim 11, payment source information being managed in an electronic wallet is discussed in the Abstract of Franklin. However, the mere mention of management of payment source information does not disclose or suggest allowing the user to transfer funds between different ones of the plurality of different types of payment accounts that are maintained in an electronic wallet. Appellant respectfully submits that there is no discussion or mention in Franklin allowing the user to transfer funds between different ones of the plurality of different types of payment accounts that are maintained in an electronic wallet. Without any such discussion or mention, Appellant respectfully submits that Franklin cannot disclose or suggest such allowing of claim 26. With respect to Pitroda, Pitroda is not cited as curing, and does not cure, these deficiencies of Franklin. For at least these reasons, Appellant respectfully submits that claim 26 is allowable over Pitroda in view of Franklin.

In the February 23, 2006 Advisory Action, it was asserted that the Request for Reconsideration does not place the application in condition for allowance because:



The Request for Consideration can not show non-obviousness by providing a reference-by-reference attack on what may be suggested in the prior. In a 35 USC 103(a) rejection, obviousness is what the combination of references, when taken as a whole, would have suggested to one of ordinary skill in the art [see *In re Keller*, 642 F.2d 413 208 USPQ 871 (CCPA 1981); and *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971)].

Appellant respectfully submits that the combination of Pitroda and Franklin has been addressed above. Appellant is not providing a reference-by-reference attack. Appellant is relying on the rejections made in the July 6, 2005 Final Office Action and the assertions made in the July 6, 2005 Final Office Action as to where the elements of claim 26 are allegedly taught in Pitroda and Franklin. Per MPEP §2143.03, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. As discussed above, all the elements of claim 26 are not taught or suggested by the prior art. For at least these reasons, Appellant respectfully submits that claim 26 is allowable over Pitroda in view of Franklin.

With respect to claims 27, 28, and 30-33, given that claims 27, 28, and 30-33 depend from claim 26, Appellant respectfully submits that claims 27, 28, and 30-33 are likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 26.

**B. Rejection under 35 U.S.C. §103(a) over U.S. Patent No. 5,590,038 to Pitroda in view of U.S. Patent No. 6,125,352 to Franklin et al. and further in view of U.S. Patent No. 5,710,886 to Christensen et al.**

Claims 20 and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,590,038 to Pitroda (hereinafter “Pitroda”) in

view of U.S. Patent No. 6,125,352 to Franklin et al. (hereinafter "Franklin") and further in view of U.S. Patent No. 5,710,886 to Christensen et al. (hereinafter "Christensen").

Christensen is directed to an electric couponing method and apparatus (see, Title). A package of data, including coupon data, is generated for consumers on a particular list and transmitted to those consumers (see, col. 4, lines 17-21). Demographic and identification data received from a consumer is then entered into a database, and a validation code is transmitted to the consumer's computer so as to allow the consumer's computer to generate a coupon from the coupon data in the package of data (see, col. 4, lines 21-26). The consumer may redeem the printed coupon(s) at a retailer in the same manner as prior art printed coupons (see, col. 10, lines 22-24). The retailer may scan these coupons using traditional scanning equipment, to determine the correct discount or rebate to apply to a product, or may use manual redemption techniques (e.g., reading printed indicia on the coupon to determine the discount or rebate for the indicated product) (see, col. 10, lines 24-30).

#### **1. Claims 20 and 21**

With respect to claims 20 and 21, given that claims 20 and 21 depend from claim 19, Appellant respectfully submits that claims 20 and 21 are allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 19. Furthermore, Appellant respectfully submits that Christensen is not cited as curing, and does not cure, the deficiencies of Pitroda in view of Franklin discussed above with respect to claim 19. For at least these reasons, Appellant

respectfully submits that claim 19 is allowable over Pitroda in view of Franklin and further in view of Christensen, and thus that claims 20 and 21 are allowable over Pitroda in view of Franklin and further in view of Christensen.

## **2. Claim 34**

With respect to claim 34, it is acknowledged in the July 6, 2005 Office Action at p. 9 that Pitroda in view of Franklin does not disclose the maintaining and presenting of claim 34. It appears from the July 6, 2005 Office Action at p. 9 that Christensen is being relied on as disclosing claim 34.

Claim 34 recites:

One or more computer readable media having stored thereon a plurality of instructions that, when executed by one or more processors, causes the one or more processors to perform acts including:

maintaining a gift certificate account including payment information corresponding to the gift certificate account;

presenting, to the user, the gift certificate account as a gift certificate; and

presenting, to a merchant, the gift certificate account as a credit card.

Appellant respectfully submits that Christensen does not disclose or suggest the maintaining and presenting of claim 34.

In the July 6, 2005 Office Action at pp. 8-9, the Abstract of Christensen is relied on as disclosing the maintaining and presenting of claim 34. The Abstract of Christensen reads as follow:

A method and apparatus for distributing, generating, and redeeming discount coupons, rebate or gift certificates or the like tracks each coupon using a consumer ID number printed on the coupon. Coupons may be distributed electronically, for example, in

the form of a diskette or CD-ROM software. Software on the diskette or CD-ROM may prompt a consumer to call a 1-800 number for a validation number or code. During the phone call, telemarketing personnel may request consumer demographic and or identification information which may be entered into a centralized database. Once the software is validated, a consumer may print out selected coupons displayed on a Graphical User Interface (GUI). Each coupon may be printed only a limited number of times. Each coupon may be imprinted with a consumer ID number, preferably in the form of a bar code. Once redeemed, consumer ID information and coupon information may be retrieved from coupons forwarded to a coupon clearing house. Accurate data may then be produced illustrating which consumers or groups of consumers are redeeming which coupons. Such data may be used for marketing purposes or to generate further diskettes for distribution targeting specific consumers or groups of consumers with specific classes of coupon offerings. The use of a consumer ID number on the coupon may reduce or prevent the fraudulent copying and redemption of coupons, as multiple redemptions of a single coupon by a consumer may be readily detected from data gathered at the brokerage clearing house.

Although rebate or gift certificates are mentioned in the Abstract of Christensen, there is no discussion or mention presenting, to the user, a gift certificate account as a gift certificate and presenting, to a merchant, the gift certificate account as a credit card as recited in claim 34. The mere disclosure of coupons, or rebate or gift certificates does not disclose presenting the coupons, rebate or gift certificates **to the user as something different than what they are presented to the merchant as**, as recited in claim 34. Thus, Appellant respectfully submits that Christensen cannot disclose or suggest the maintaining and presenting of claim 34.

Per MPEP §2143.03, to establish *prima facie* obviousness of a claimed invention, **all the claim limitations must be taught or suggested by the prior art**. As Christensen does not disclose or suggest the maintaining and presenting of

claim 34, Appellant respectfully submits that all of the elements of claim 34 are not taught or suggested by Christensen, and thus that *prima facie* obviousness of claim 34 has not been established and that claim 34 is allowable over Christensen.

In the February 23, 2006 Advisory Action, it was asserted that the Request for Reconsideration does not place the application in condition for allowance because:

The Request for Consideration can not show non-obviousness by providing a reference-by-reference attack on what may be suggested in the prior. In a 35 USC 103(a) rejection, obviousness is what the combination of references, when taken as a whole, would have suggested to one of ordinary skill in the art [see *In re Keller*, 642 F.2d 413 208 USPQ 871 (CCPA 1981); and *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971)].

Appellant respectfully submits that the combination of Pitroda and Franklin has been addressed above. Appellant is not providing a reference-by-reference attack. Appellant is relying on the rejections made in the July 6, 2005 Final Office Action and the assertions made in the July 6, 2005 Final Office Action as to where the elements of claim 34 are allegedly taught in Pitroda and Franklin. Per MPEP §2143.03, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. As discussed above, all the elements of claim 34 are not taught or suggested by the prior art. For at least these reasons, Appellant respectfully submits that claim 34 is allowable over Pitroda in view of Franklin.


For at least these reasons, Appellant respectfully submits that claim 34 is allowable over Christensen, as well as Pitroda in view of Franklin and further in view of Christensen.

**Conclusion**

The Office's basis and supporting rationale for the § 103(a) rejections is not supported by the teaching of the cited references. Appellant respectfully requests that the rejections be overturned and that pending claims 1-28 and 30-34 be allowed to issue.

Respectfully Submitted,

Dated: 4/13/06

By:   
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**(8) Appendix of Appealed Claims**

1. One or more computer readable media having stored thereon a plurality of instructions that, when executed by one or more processors, causes the one or more processors to perform acts including:

receiving, from a merchant server, an indication of a purchase a user is attempting to make;

identifying a plurality of accounts corresponding to the user;

selecting a subset of the plurality of accounts to make available to the user, the subset including only those accounts that can be used by the user to make a purchase at the merchant server; and

presenting the subset of accounts to the user.

2. One or more computer readable media as recited in claim 1, wherein the plurality of accounts include one or more of: credit card accounts, debit card payment accounts, gift certificate payment accounts, rebate payment accounts, reward payment accounts, and cash payment accounts.

3. One or more computer readable media as recited in claim 1, wherein the accounts that can be used to make a purchase at the merchant server are those accounts of a type identified by the merchant server as well as additional accounts of a type that are mapped to an account type identified by the merchant server as being useable.

4. One or more computer readable media as recited in claim 1, wherein the accounts that can be used to make a purchase at the merchant server are those accounts of a type identified by the merchant server as well as additional accounts of a type from which funds can be added to an account of a type identified by the merchant server.

5. One or more computer readable media as recited in claim 3, wherein the plurality of instructions further cause the one or more processors to perform acts including receiving, from the merchant server, the identification of types of accounts as part of the indication of the purchase the user is attempting to make.

6. One or more computer readable media as recited in claim 1, wherein the plurality of instructions further cause the one or more processors to perform acts including:

receiving a user selection of one of the subset of accounts; and

forwarding, to the merchant server, payment information corresponding to the selected account.

7. One or more computer readable media as recited in claim 1, wherein the plurality of instructions further cause the one or more processors to perform acts including:

receiving a user selection of two or more of the subset of accounts;

allowing the user to combine funds from the selected accounts into a combined account; and



forwarding, to the merchant server, payment information corresponding to the combined account.

8. One or more computer readable media as recited in claim 7, wherein the plurality of instructions further cause the one or more processors to perform acts including allowing the user to combine funds from one account that is not identified by the merchant as acceptable with another account that is identified by the merchant as acceptable.

9. One or more computer readable media as recited in claim 1, wherein the plurality of instructions further cause the one or more processors to perform acts including:

receiving a user selection of one of the subset of accounts;

mapping payment information corresponding to the account to a format that can be used to make a purchase at the merchant server; and

forwarding, to the merchant server, the mapped payment information.

10. One or more computer readable media as recited in claim 1, wherein the plurality of accounts are identified in an electronic wallet, and wherein the plurality of instructions further cause the one or more processors to perform acts including:

receiving, from the merchant server, a request for information not included in the electronic wallet;

querying the user for the information;

receiving a response to the query;  
returning the response to the merchant server as the requested information.

11. A method comprising:  
presenting a plurality of accounts of different types to a user, the plurality of accounts being included in an electronic wallet; and  
allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts.

12. A method as recited in claim 11, further comprising storing the plurality of accounts in the electronic wallet on a remote server.

13. A method as recited in claim 11, wherein the different types of accounts include two or more of: debit card payment accounts, gift certificate payment accounts, rebate payment accounts, reward payment accounts, allowance payment accounts, and cash payment accounts.

14. A method as recited in claim 11, wherein the allowing comprises allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts while in the process of making an on-line purchase.

15. A method as recited in claim 14, wherein the allowing further comprises allowing the user to transfer value from an account that is not accepted

by a merchant at which the on-line purchase is being made to an account that is accepted by the merchant.

16. One or more computer-readable memories containing a computer program that is executable by a processor to perform the method recited in claim 11.

17. A system comprising:  
a wallet server to store a plurality of payment accounts for a user; and  
a user interface component, coupled to the wallet server, to display the plurality of payment accounts and to allow manipulation of the payment accounts including transferring value from one payment account to another.

18. A system as recited in claim 17, wherein the user interface component comprises a web page.

19. A method comprising:  
receiving a request from a user to make a purchase using a particular type of fund included in an electronic wallet of the user;  
converting payment information corresponding to the particular fund to a credit card format; and  
communicating the converted payment information to a merchant for the purchase.

20. A method as recited in claim 19, wherein the particular type of fund comprises a gift certificate.

21. A method as recited in claim 19, wherein the particular type of fund comprises a rebate.

22. A method as recited in claim 19, wherein the converting comprises converting the payment information to the credit card format without the user's knowledge.

23. A method as recited in claim 19, wherein the converting comprises converting the payment information to a Visa® credit card format.

24. A method as recited in claim 19, wherein the communicating comprises communicating the converted payment information to the merchant without any indication of the conversion from the particular type of fund.

25. One or more computer-readable memories containing a computer program that is executable by a processor to perform the method recited in claim 19.

26. A method comprising:  
maintaining, in an electronic wallet, a plurality of different types of payment accounts for a user;

allowing the user to transfer payment information stored in the payment accounts to merchants to make purchases; and

allowing the user to transfer funds between different ones of the plurality of different types of payment accounts.

27. A method as recited in claim 26, wherein the types of payment accounts include one or more of: debit cards, gift certificates, rebates, allowances, and cash.

28. A method as recited in claim 26, wherein the maintaining comprises maintaining the plurality of different types of payment accounts at a remote server.

30. A method as recited in claim 26, further comprising allowing additional funds to be added to a payment account.

31. A method as recited in claim 30, wherein allowing additional funds to be added to the payment account comprises allowing additional funds to be added to the payment account by the user.

32. A method as recited in claim 30, further comprising:  
receiving a request from a merchant for information that is not included in the electronic wallet;

obtaining the requested information from the user;

returning the requested information to the merchant.

33. One or more computer-readable memories containing a computer program that is executable by a processor to perform the method recited in claim 26.

34. One or more computer readable media having stored thereon a plurality of instructions that, when executed by one or more processors, causes the one or more processors to perform acts including:

maintaining a gift certificate account including payment information corresponding to the gift certificate account;

presenting, to the user, the gift certificate account as a gift certificate; and

presenting, to a merchant, the gift certificate account as a credit card.

**(9) Appendix of Evidence Submitted**

None.

**(10) Appendix of Related Proceedings**

None.